CLERK, U.S. DISTRICT COURT
NORTHERN DIST. OF TX
FILED
2016 MAY 25 AM 9:38
DEPUTY

Transfer of Jurisdiction

Case Number (Trans. Court): 6:14-CR-013-C(01)

Case Number (Rec. Court): SA16CR0394

Name Of Probationer/Supervised Releasee	District	Division
Jessica Nicole Smith	Northern District of Texas	San Angelo
	Name of Sentencing Judge: Sam R. Cummings	
	Dates Of Probation/ Supervised Release: From 4/6/2015 To 4/6/2017	

FILED
MAY 25 2016
CLERK, U.S. DISTRICT CLERK
WESTERN DISTRICT OF TEXAS
BY

Offense

Transporting an Undocumented Alien Within the United States by Means of a Motor Vehicle for Private Financial Gain, 8 U.S.C. § 1324(a)(1)(A)(ii) & (a)(1)(B)(i) and 18 U.S.C. §

PART 1 - ORDER TRANSFERRING JURISDICTION

U.S. District Court For The Northern District of Texas, **San Angelo Division**

IT IS HEREBY ORDERED that pursuant to 18 USC § 3605, the jurisdiction of the probationer or supervised releasee named above be transferred with the records of this Court to the U.S. District Court for the Western District of Texas, San Antonio Division, upon that Court's order of acceptance of jurisdiction.

This Court hereby expressly consents that the period of probation or supervised release may be changed by the District Court to which this transfer is made without further inquiry of this Court.*

5-6-16
Date

Senior U.S. District Judge

*This sentence may be deleted in the discretion of the transferring Court.

PART 2 - ORDER ACCEPTING JURISDICTION

U.S. District Court For The Western District of Texas, **San Antonio Division**

IT IS HEREBY ORDERED that jurisdiction over the above-named probationer/supervised releasee be accepted and assumed by this Court from and after the entry of this order.

5-18-16
Effective Date

U.S. District Judge
XAVIER RODRIGUEZ, U.S. DISTRICT JUDGE

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FILED
MAR 28 2014
CLERK, U.S. DISTRICT COURT
By SMH - 1:35 pm
Deputy

United States District Court

Northern District of Texas
San Angelo Division

UNITED STATES OF AMERICA

v.

JESSICA NICOLE SMITH
Defendant.

Case Number 6:14-CR-013-01-C
USM No. 81640-279

JUDGMENT IN A CRIMINAL CASE

(For **Revocation** of Supervised Release)
(For Offenses Committed On or After November 1, 1987)

The defendant, JESSICA NICOLE SMITH, was represented by Shery Kime-Goodwin.

THE DEFENDANT:

Admitted guilt of violation of conditions of the term of supervision.

Violation Number	Nature of Violation	Date of Violation
See attached Petition for Offender Under Supervision		

Certified copy of the Judgment imposed on 04/28/2011 in the Southern District of Texas, Laredo Division, is attached.

As pronounced on 03/28/2014, the defendant is sentenced as provided in pages 1 and 2 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Signed this the 28th day of March, 2014.

DISTRICT JUDGE SAM R. CUMMINGS
UNITED STATES DISTRICT COURT

REDACTED

Defendant: JESSICA NICOLE SMITH
Case Number: 6:14-CR-013-01-C

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 12 months.

It is ordered that the defendant report directly to the institution designated by the Bureau of Prisons, at her own expense on or before April 25, 2014, by 2:00 p.m.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: JESSICA NICOLE SMITH
Case Number: 6:14-CR-013-01-C

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 24 months.

The defendant shall report to the Probation Officer in a manner and frequency directed by the Court or Probation Officer.

The defendant shall not commit another federal, state, or local crime.

The defendant shall not illegally possess a controlled substance.

For offenses committed on or after September 13, 1994:

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.

- ☐ The above drug testing condition is suspended based on the court's determination that the defendant poses a low risk of future substance abuse.
- ☒ The defendant shall not possess a firearm, destructive device or any other dangerous weapon.
- ☒ The defendant shall cooperate in the collection of DNA as directed by the probation officer.
- ☐ The defendant shall comply with the requirements of the Sex Offender Registration and Notification Act (42 U.S.C. § 16901, *et seq.*) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in which he or she resides, works, is a student, or was convicted of a qualifying offense.
- ☐ the defendant shall participate in an approved program for domestic violence.

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Fine and Restitution sheet of the judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). The defendant shall also comply with the additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
2) The defendant shall report to the probation officer in a manner and frequency directed by the court or probation officer.
3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
4) The defendant shall support his or her dependents and meet other family responsibilities.
5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
6) The defendant shall notify the probation officer at least ten days prior to any change in residence or employment.
7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician.
8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

SPECIAL CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this Judgment:

1. The defendant shall participate in a program approved by the U.S. Probation Office for treatment of narcotic or drug or alcohol dependency which will include testing for the detection of substance use or abuse. It is ordered that the defendant contribute to the costs of services rendered (co-payment) at a rate of at least $25.00 per month.

2. The defendant shall abstain from the use of alcohol and all other intoxicants during the term of supervision.

UNITED STATES DISTRICT COURT
for
NORTHERN DISTRICT OF TEXAS

CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
FILED

2014 FEB 24 PM 2:01

DEPUTY CLERK

Petition for Offender Under Supervision

Name of Offender: Jessica Nicole Smith Case No.: 6:14-CR-013-C(01)

Name of Sentencing Judicial Officer: U.S. District Judge George P. Kazen (Jurisdiction transferred to U.S. District Judge Javier Rodriguez, Western District of Texas, San Antonio Division, on March 27, 2013; Jurisdiction Transferred to U.S. District Judge Sam R. Cummings, Northern District of Texas, San Angelo Division, on February 20, 2014.)

Date of Original Sentence: April 28, 2011

Original Offense: Transporting an Undocumented Alien Within the United States by Means of a Motor Vehicle for Private Financial Gain, 8 U.S. C. § 1324(a)(1)(A)(ii) & (a)(1)(B)(i) and 18 U. S.C. § 2

Original Sentence: 13 months custody, 3-year term of supervised release

Type of Supervision: Supervised Release Date Supervision Commenced: February 1, 2013

Assistant U.S. Attorney: Don J. Young Defense Attorney: Paul Carlos Saenz (Court appointed)

Petitioning the Court for Action for Cause as Follows:

To issue a violator's warrant.

The probation officer believes that the offender violated the following conditions:

I.

Violation of Mandatory Condition:

The defendant shall not commit another federal, state, or local crime.

Violation of Mandatory Condition:

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

Violation of Standard Condition No. 7:

The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substance, except as prescribed by a physician.

Violation of Special Condition:

The defendant shall participate in a program, inpatient or outpatient, for the treatment of drug and/or alcohol addiction, dependency or abuse which may include, but not be limited to urine, breath, saliva and skin testing to determine whether the defendant has reverted to the use of drugs and/or alcohol. Further, the defendant shall participate as instructed and as deemed necessary by the probation officer and shall comply with all rules and regulations of the treatment agency until discharged by the Program Director with the approval of the probation officer. The defendant shall further submit to drug-detection techniques, in addition to those performed by the treatment agency, as directed by the probation officer. The defendant will incur costs associated with such drug/alcohol detection and treatment, based on ability to pay as determined by the probation officer.

Nature of Noncompliance:

Jessica Nicole Smith (Smith) violated these conditions of supervised release by using and possessing methamphetamine, an illegal controlled substance, in or about January 2014. On January 17, 2014, Smith submitted a urine specimen at the U.S. Probation Office, San Angelo, Texas, that tested positive for methamphetamine. Furthermore, on January 31, 2014, Smith admitted, verbally and in writing, to Senior U.S. Probation Officer Javier Sanchez that she had used methamphetamine on January 16 and 28, 2014.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 24, 2014

s/ Javier Sanchez
Senior U.S. Probation Officer
San Angelo, Texas
325-486-4072
Fax: 325-655-9051

Approved,

s/ Dale E. Adams
Supervising U.S. Probation Officer
806-472-1141

Jessica Nicole Smith
Petition for Offender Under Supervision

Order of the Court:

- ☐ No Action
- ☑ The Issuance of a Warrant. Petition and warrant sealed and not to be distributed to counsel of record until arrest effectuated.
- ☐ The Issuance of a Summons
- ☐ Other or Additional:
- ☐ File under seal until further order of the Court.

Sam R. Cummings
U.S. District Judge

2-24-14
Date

JS/stg

AO 245B (Rev. 08/05) Judgment in a Criminal C... Sheet 1

UNITED STATES DISTRICT COURT

Southern District of Texas

Holding Session in Laredo

UNITED STATES OF AMERICA
V.
JESSICA NICOLE SMITH

JUDGMENT IN A CRIMINAL CASE

CASE NUMBER: **5:10CR02627-001**

USM NUMBER: 81640-279

Paul Carlos Saenz, AFPD
Defendant's Attorney

☐ See Additional Aliases.

THE DEFENDANT:

☒ pleaded guilty to count(s) two on February 16, 2011

☐ pleaded nolo contendere to count(s) which was accepted by the court.

☐ was found guilty on count(s) after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

Title & Section	Nature of Offense	Offense Ended	Count
8 U.S.C. §§ 1324(a)(1)(A)(ii), 1324(a)(1)(B)(i) and 18 U.S.C. § 2	Transporting an undocumented alien within the United States by means of a motor vehicle for private financial gain	11/26/2010	Two

☐ See Additional Counts of Conviction.

The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has been found not guilty on count(s) _____

☒ Count(s) one ☒ is ☐ are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

April 28, 2011
Date of Imposition of Judgment

George P. Kazen
Signature of Judge

GEORGE P. KAZEN
SENIOR UNITED STATES DISTRICT JUDGE
Name and Title of Judge

April 29, 2011
Date

Certified a true copy of an instrument on file in my office on 3-28-2014
Clerk, U.S. District Court,
Northern District of Texas
By D. Dartman Deputy

JG | HRM

AO 245B (Rev. 08/05) Judgment in a Criminal Case
Sheet 2 -- Imprisonment

DEFENDANT: JESSICA NICOLE SMITH
CASE NUMBER: 5:10CR02627-001

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 13 months.

The defendant was advised of the right to appeal the sentence, and reminded that she waived the right to appeal.

☐ See Additional Imprisonment Terms.

☐ The court makes the following recommendations to the Bureau of Prisons:

☒ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:
- ☐ at _____ ☐ a.m. ☐ p.m. on _____.
- ☐ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
- ☐ before 2 p.m. on _____.
- ☐ as notified by the United States Marshal.
- ☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

AO 245B (Rev. 08/05) Judgment in a Criminal Case
Sheet 3 -- Supervised Release

DEFENDANT: JESSICA NICOLE SMITH
CASE NUMBER: 5:10CR02627-001

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of: 3 years.

☐ See Additional Supervised Release Terms.

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court. *(for offenses committed on or after September 13, 1994)*

☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)

☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.)

☒ The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)

☐ The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)

☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

☒ See Special Conditions of Supervision.

1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
4) the defendant shall support his or her dependents and meet other family responsibilities;
5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

AO 245B (Rev. 08/05) Judgment in a Criminal C... Sheet 5 -- Criminal Monetary Penalties

DEFENDANT: JESSICA NICOLE SMITH
CASE NUMBER: 5:10CR02627-001

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	Assessment	Fine	Restitution
TOTALS	$100.00	$0.00	$0.00

☐ See Additional Terms for Criminal Monetary Penalties.

☐ The determination of restitution is deferred until _____. An *Amended Judgment in a Criminal Case (AO 245C)* will be entered after such determination.

☐ The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal payees must be paid before the United States is paid.

Name of Payee	Total Loss*	Restitution Ordered	Priority or Percentage

☐ See Additional Restitution Payees.

TOTALS	$ 0.00	$ 0.00

☐ Restitution amount ordered pursuant to plea agreement $ _____

☐ The defendant must pay interest on restitution and a fine of more than $2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

☐ The court determined that the defendant does not have the ability to pay interest and it is ordered that:

☐ the interest requirement is waived for the ☐ fine ☐ restitution.

☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:

☐ Based on the Government's motion, the Court finds that reasonable efforts to collect the special assessment are not likely to be effective. Therefore, the assessment is hereby remitted.

* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

AO 245B (Rev. 08/05) Judgment in a Criminal Case
Sheet 6 – Schedule of Payments

DEFENDANT: JESSICA NICOLE SMITH
CASE NUMBER: 5:10CR02627-001

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows:

A ☒ Lump sum payment of $ 100.00 due immediately, balance due
- ☐ not later than _____, or
- ☒ in accordance with ☐ C, ☐ D, ☐ E, or ☒ F below; or

B ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or

C ☐ Payment in equal _____ installments of $ _____ over a period of _____, to commence _____ days after the date of this judgment; or

D ☐ Payment in equal _____ installments of $ _____ over a period of _____, to commence _____ days after release from imprisonment to a term of supervision; or

E ☐ Payment during the term of supervised release will commence within _____ days after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or

F ☒ Special instructions regarding the payment of criminal monetary penalties:
Make all payments payable to: U.S. District Clerk, 1300 Victoria, Ste. 1131, Laredo, TX 78040.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☐ Joint and Several

Case Number Defendant and Co-Defendant Names (including defendant number)	Total Amount	Joint and Several Amount	Corresponding Payee, if appropriate

☐ See Additional Defendants and Co-Defendants Held Joint and Several.

☐ The defendant shall pay the cost of prosecution.

☐ The defendant shall pay the following court cost(s):

☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

☐ See Additional Forfeited Property.

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.

CLOSED

U.S. District Court
Northern District of Texas (San Angelo)
CRIMINAL DOCKET FOR CASE #: 6:14-cr-00013-C-BG-1

Case title: USA v. Smith
Other court case number: SA-13-CR-0303 Western District of Texas - San Antonio

Date Filed: 02/20/2014
Date Terminated: 02/20/2014

Assigned to: Judge Sam R Cummings
Referred to: Magistrate Judge Nancy M Koenig

Appeals court case number: 14-10420 5th Circuit

Defendant (1)

Jessica Nicole Smith
TERMINATED: 02/20/2014

represented by **Monica Markley**
Office of the Federal Public Defender
819 Taylor St
Room 9A10
Fort Worth, TX 76102
817/978-2753
Fax: 817/978-2757
Email: monica_markley@fd.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Federal Public Defender Appointment
Bar Status: Admitted/In Good Standing

Sherylynn A Kime-Goodwin-FPD
Federal Public Defender
1205 Texas Ave
Room 506
Lubbock, TX 79401
806/472-7236
Fax: 806/472-7241
Email: shery_kime-goodwin@fd.org
TERMINATED: 04/21/2014
Designation: Federal Public Defender Appointment
Bar Status: Admitted/In Good Standing

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

Transfer of Jurisdiction: 8:1324(a)(1)(A)(ii) &(a)(1)(B)(i) and 18:2 – Transporting an Undocumented Alien Within the United States by Means of a Motor Vehicle for Private Financial Gain.8:1324.F

Disposition

13 months custody, 36 months Supervised Release. SUPERVISED RELEASE REVOKED 03/28/2014. BOP 12 MONTHS. S/R FOR A TERM OF 24 MONTHS.

Plaintiff

USA

represented by **Denise Bridges Williams–DOJ**
US Attorney's Office
1205 Texas Ave
7th Floor
Lubbock, TX 79401
806/472–7351
Fax: 806/472–7394
Email: denise.williams@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Assistant US Attorney
Bar Status: Admitted/In Good Standing

Date Filed	#	Page	Docket Text
02/20/2014	1		ORDER TRANSFERRING and ORDER ACCEPTING PROBATION JURISDICTION as to Jessica Nicole Smith pursuant to 18 USC 3605 to the US District Court for Northern District of Texas – San Angelo Division from Western District of Texas – San Antonio Division. Case number in other district: SA–13–CR–0303. (Ordered by Judge Sam R Cummings on 2/20/2014) (dsr) (Entered: 02/20/2014)
02/20/2014	2		Prob 12E as to Jessica Nicole Smith recommending case be transferred from the Western District of Texas, San Antonio, to the Northern District of Texas, San Angelo Division. ORDER OF THE COURT: Agrees with the recommendation of the probation officer. (Ordered by Judge Sam R Cummings on 2/20/2014) (dsr) (Entered: 02/20/2014)
02/20/2014	3	6	

			TRANSFER OF JURISDICTION for Supervision of Probationer/Supervised Releasee Jessica Nicole Smith. Obtained copies of indictment, judgment, and docket sheet through PACER from Western District of Texas – San Antonio. (SA–13–CR–0303). (Attachments: #1 transfer documents) (Email sent requesting financial ledger.)(dsr) (Entered: 02/20/2014)
02/24/2014	5		Prob 12C as to Jessica Nicole Smith and Order. (Ordered by Judge Sam R Cummings on 2/24/2014) (dss) Modified on 3/5/2014 (dsr). (Entered: 02/24/2014)
03/03/2014			Arrest of Jessica Nicole Smith (dsr) (Entered: 03/04/2014)
03/05/2014	7		(Document Restricted) CJA 23 Financial Affidavit by Jessica Nicole Smith. (dss) (Entered: 03/05/2014)
03/05/2014	8		Minute Entry for proceedings held before Magistrate Judge E. Scott Frost: Initial Appearance re Revocation of Supervised Release as to Jessica Nicole Smith held on 3/5/2014. Deft appeared w/o counsel, requests, qualifies for, and Court in Lubbock w/appoint counsel; Financial affidavit executed; Deft remanded to custody; all further proceedings will be held in Lubbock. Attorney Appearances: AUSA – n/a; Defense – n/a. (Court Reporter: Digital File) (No exhibits) Time in Court – :02. (Interpreter n/a.) (dsr) (Entered: 03/05/2014)
03/05/2014	9		Arrest Warrant Returned Executed on 03/03/2014 as to Jessica Nicole Smith. (dss) (Entered: 03/05/2014)
03/07/2014	10		ORDER APPOINTING FEDERAL PUBLIC DEFENDER, Shery Kime–Goodwin, as to Jessica Nicole Smith. Such appointment shall be for all proceedings, including any appeal. (Ordered by Magistrate Judge Nancy M Koenig on 3/7/2014) (dsr) (Entered: 03/07/2014)
03/07/2014	11		ORDER SETTING HEARING as to Jessica Nicole Smith: Preliminary Revocation Hearing set for 3/17/2014 03:00 PM in US Courthouse, Courtroom 214, 1205 Texas Avenue, Lubbock, TX 79401–4091 before Magistrate Judge Nancy M Koenig. (Ordered by Magistrate Judge Nancy M Koenig on 3/7/2014) (dsr) (Entered: 03/07/2014)
03/08/2014	12		MOTION to Revoke Supervised Release filed by USA as to Jessica Nicole Smith (Williams–DOJ, Denise) (Entered: 03/08/2014)
03/10/2014	13		ORDER as to Jessica Nicole Smith: Final Hearing re Revocation of Supervised Release set for 3/28/2014 at 1:15 PM in US Courthouse, Courtroom C–216, 1205 Texas Avenue, Lubbock, TX 79401–4091 before Judge Sam R Cummings. re: 12 MOTION to Revoke Supervised Release. (Ordered by Judge Sam R Cummings on 3/10/2014) (dss) (Entered: 03/10/2014)
03/10/2014	14		NOTICE OF ATTORNEY APPEARANCE by Sherylynn A Kime–Goodwin–FPD appearing for Jessica Nicole Smith (Filer confirms contact info in ECF is current.) (Kime–Goodwin–FPD, Sherylynn) (Entered: 03/10/2014)
03/17/2014	15		Minute Entry for proceedings held before Magistrate Judge Nancy M Koenig: Preliminary and Detention Hearing as to Jessica Nicole Smith (Supervised Release Violator) held on 3/17/2014. Deft. appeared with counsel. Oral

			Waiver of Preliminary Hearing. Court finds Probable Cause. Evidence from both parties as to Detention heard by Court. The Court will take under advisement and will notify parties of ruling. Attorney Appearances: AUSA – Denise Williams; Defense – Shery Kime–Goodwin. (Court Reporter: Digital File) (No exhibits) Time in Court – :15. (Interpreter N/A.) (dss) (Entered: 03/17/2014)
03/19/2014	16		ORDER OF RELEASE PENDING REVOCATION HEARING as to Jessica Nicole Smith: Deft is continued on the conditions of her supervised release previously imposed in this case. (Ordered by Magistrate Judge Nancy M Koenig on 3/19/2014) (dsr) (Entered: 03/19/2014)
03/28/2014	17		MINUTE ENTRY – for proceedings held before Judge Sam R Cummings: Initial Appearance re Revocation of Supervised Release Violator as to Jessica Nicole Smith held on 3/28/2014. BOP 12 months. Additional terms of supervised release – 24 months. Time to serve 12 months. Date ordered to surrender to the designated institution on 4/25/14 by 2:00 p.m. The violation report is made part of the record. Attorney Appearances: AUSA – Denise Williams; Defense – Shery Kime–Goodwin. (Court Reporter: Mechelle Daniel) (No exhibits) Time in Court – :10. (Interpreter N/A.) (dss) (Entered: 03/28/2014)
03/28/2014			Judge update in case as to Jessica Nicole Smith. Magistrate Judge Nancy M Koenig added. Magistrate Judge E. Scott Frost no longer assigned to case. (dss) (Entered: 03/28/2014)
03/28/2014	18	25	Judgment Revoking Probation/Supervised Release as to Jessica Nicole Smith (1), 13 months custody, 36 months Supervised Release. SUPERVISED RELEASE REVOKED 03/28/2014. BOP 12 MONTHS. S/R FOR A TERM OF 24 MONTHS. (Ordered by Judge Sam R Cummings on 3/28/2014) (dss) (Additional attachment(s) added on 3/28/2014: #1 UNREDACTED) (dss). (Main Document 18 replaced on 3/28/2014) (dss). (Entered: 03/28/2014)
04/09/2014	19		NOTICE OF APPEAL to the Fifth Circuit as to 18 Judgment Revoking Probation/Supervised Release, by Jessica Nicole Smith. T.O. form to appellant electronically at Transcript Order Form or US Mail as appropriate. Copy of NOA to be sent US Mail to parties not electronically noticed. (Kime–Goodwin–FPD, Sherylynn) (Entered: 04/09/2014)
04/21/2014	20		Notice of Substitution of Counsel by AFPD in case as to Jessica Nicole Smith. Monica Markley–FPD added as AFPD. (Markley–FPD, Monica) (Entered: 04/21/2014)
04/21/2014	21		Transcript Order Form: re 19 Notice of Appeal, transcript requested for Revocation of Supervised Release Hearing held on 03/28/2014 before Judge Sam R. Cummings. (Markley–FPD, Monica) (Entered: 04/21/2014)
04/21/2014			USCA Case Number as to Jessica Nicole Smith 14–10420 for 19 Notice of Appeal, filed by Jessica Nicole Smith. (dsr) (Entered: 04/21/2014)
05/05/2014	22		Notice of Filing of Official Electronic Transcript of Revocation Proceedings as to Jessica Nicole Smith held on 03/28/2014 before Judge Sam R. Cummings. Court Reporter/Transcriber Mechelle Daniel, Telephone number (806) 744–7667. Parties are notified of their duty to review the transcript. A copy may be purchased from the court reporter or viewed at the clerk's office

			public terminal. If redaction is necessary, a Redaction Request – Transcript must be filed within 21 days. If no such Request is filed, the transcript will be made available via PACER without redaction after 90 calendar days. If redaction request filed, this transcript will not be accessible via PACER; see redacted transcript. The clerk will mail a copy of this notice to parties not electronically noticed. (8 pages) Redaction Request due 5/27/2014. Redacted Transcript Deadline set for 6/5/2014. Release of Transcript Restriction set for 8/4/2014. (kmd) (Entered: 05/05/2014)
05/07/2014			Record on Appeal for USCA5 14-10420 (related to 19 appeal) as to Jessica Nicole Smith: Record consisting of: 1 ECF electronic record, 1 Volume(s) electronic transcript, 1 envelope(s) PSR/SOR, Sealed or ex parte document number(s): 4, 6, 7 and 18(in part) (circuit approval is required for access), certified to USCA. To request a copy of the record (on disk or on paper), contact the appeals deputy in advance to arrange delivery. (dsr) (Entered: 05/07/2014)
05/07/2014			Record on Appeal for USCA5 14-10420 (related to 19 appeal) as to Jessica Nicole Smith: transmitted to U.S. Attorney's Office, Attn: Judy N. Carone, Dallas on disk only. Shipped: FedEx – Express Saver #7987 8383 2869 and billed to recipient. (dsr) (Entered: 05/07/2014)
12/05/2014	25		Opinion of USCA in accordance with USCA judgment re 19 Notice of Appeal, filed by Jessica Nicole Smith....Accordingly, counsel's motion for leave to withdraw is GRANTED, counsel is excused from further responsibilities herein, and the APPEAL IS DISMISSED. (dsr) (Entered: 12/05/2014)
12/05/2014	26	49	MANDATE of USCA as to Jessica Nicole Smith re 19 Notice of Appeal. This cause was considered on the record on appeal and the briefs on file. It is ordered and adjudged that the appeal is dismissed as frivolous. (dsr) (Entered: 12/05/2014)
05/06/2016	27		Prob 12E as to Jessica Nicole Smith. Probation recommends case transfer to the WDTX/San Antonio Division. ORDER OF THE COURT: Agrees with the recommendation of probation. (Ordered by Senior Judge Sam R Cummings on 5/6/2016) (Attachments: #1 Prob 22 – TOJ signed by only one judge) (dsr) (Entered: 05/06/2016)
05/25/2016	28	51	ORDER TRANSFERRING PROBATION/SUPERVISED RELEASE JURISDICTION and ORDER ACCEPTING JURISDICTION as to Jessica Nicole Smith pursuant to 18 USC 3605 with the records of this court TO the US District Court for Western District of Texas, San Antonio Division FROM Northern District of Texas, San Angelo Division. (Ordered by Senior Judge Sam R Cummings on 5/25/2016) (dsr) (Entered: 05/25/2016)

U.S. District Court [LIVE]
Western District of Texas (San Antonio)
CRIMINAL DOCKET FOR CASE #: 5:13-cr-00303-XR-1

Case title: USA v. Smith

Date Filed: 04/10/2013

Assigned to: Judge Xavier Rodriguez

Defendant (1)

Jessica Nicole Smith

Pending Counts	**Disposition**
8:1324.F - BRINGING IN AND HARBORING ALIENS - Transporting an undocumented alien within the United States by means of a motor vehicle for private financial gain (1)	13 months imprisonment; 3 years supervised release; $100 special assessment

Highest Offense Level (Opening)

Felony

Terminated Counts	**Disposition**
None	

Highest Offense Level (Terminated)

None

Complaints	**Disposition**
None	

Plaintiff

USA

represented by **Erica Benites Giese**
U.S. Attorney's Office
601 NW Loop 410
Suite 600
San Antonio, TX 78216
(210) 384-7150
Fax: (210) 384-7118
Email: erica.giese@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/10/2013	1	TRANSFER OF JURISDICTION as to Jessica Nicole Smith. Received certified copies of indictment, judgment and docket sheet from STX, Laredo Division (rf) (Entered: 04/10/2013)
02/03/2014		Case as to Jessica Nicole Smith Reassigned to Judge Xavier Rodriguez. Judge Unassigned no longer assigned for Jessica Nicole Smith. (rg) (Entered: 02/04/2014)

PACER Service Center			
Transaction Receipt			
02/20/2014 14:36:00			
PACER Login:	ud1183	Client Code:	
Description:	Docket Report	Search Criteria:	5:13-cr-00303-XR
Billable Pages:	1	Cost:	0.10

SA13CR0303

FILED

APR 10 2013

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY _____ DEPUTY CLERK

PROB 22
(Rev. 8/97)

TRANSFER OF JURISDICTION

DOCKET NUMBER (Tran. Court): 5:10CR02627-001

DOCKET NUMBER (Rec. Court):

NAME AND ADDRESS OF PROBATIONER/SUPERVISED RELEASEE:	DISTRICT	DIVISION	
Jessica Nicole Smith Devine, Texas	SOUTHERN DISTRICT OF TEXAS	Laredo	
	NAME OF SENTENCING JUDGE George P. Kazen		
	DATES OF PROBATION/SUPERVISED RELEASE:	FROM 02/01/2013	TO 01/31/2016

OFFENSE

Transporting an undocumented alien within the United States by means of a motor vehicle for private financial gain, in violation of 8 U.S.C. §§ 1324(a)(1)(A)(ii), 1324(a)(1)(B)(i), and 18 U.S.C. § 2

PART 1 - ORDER TRANSFERRING JURISDICTION

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS, LAREDO DIVISION

It is ordered that the jurisdiction of this probationer or supervised releasee be transferred with the records of the Court to the United States District Court for the Western District of Texas, San Antonio Division on that Court's acceptance. This Court expressly consents that the period of supervision may be changed by the receiving District Court without approval of this court. See 18 U.S.C. 3605.

3/20/13
Date

George P. Kazen
GEORGE P. KAZEN
Senior United States District Judge

FILED
APR -5 AM 8:33
U.S. COURTS
SOUTHERN DISTRICT
BY

PART 2 - ORDER ACCEPTING JURISDICTION

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS, SAN ANTONIO DIVISION

Jurisdiction over the person supervised is accepted by this Court from the entry of this order.

3/27/13
Effective Date

United States District Judge

U.S. District Court
SOUTHERN DISTRICT OF TEXAS (Laredo)
CRIMINAL DOCKET FOR CASE #: 5:10-cr-02627-1

Case title: USA v. Smith
Magistrate judge case number: 5:10-mj-02886

Date Filed: 12/21/2010
Date Terminated: 04/28/2011

Assigned to: Judge George P. Kazen

Defendant (1)

Jessica Nicole Smith
TERMINATED: 04/28/2011

represented by **Christina Arellano-Villarreal**
Office of the Federal Public Defender
1202 Houston St
Laredo, TX 78042
956-753-5313
Fax: 956-753-5317
Email: christina_arellano-villa@fd.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Paul Carlos Saenz
The Law Office of Paul C. Saenz
1302 Washington St.
Laredo, TX 78040
956-723-5520
Fax: 956-728-8789
Email: paul@saenzlaw.net
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Federal Public Defender - Laredo
1501 Matamoros St
Laredo, TX 78040
956-753-5313
Email: lar_ecf@fd.org
ATTORNEY TO BE NOTICED
Designation: Public Defender or Community Defender Appointment

Pending Counts

Transporting undocumented aliens within the U.S. PENALTY: Not more than 10 Yrs. and/or $250,000, $100 CVF, 3 Yrs. TSR

Disposition

13 months imprs; 3 yrs TSR; drug aftercare [inpatient/outpatient]; mental health condition; no fine - 120 hours of community service to be completed within first 15 months of TSR; $100.00 Special Assessment; the deft waived the appeal as part of the written plea

(2)	agreement, however, the deft is advised of the 14 day deadline to file the notice if she believes the waiver is not valid

Highest Offense Level (Opening)

Felony

Terminated Counts	**Disposition**
Conspiracy to transport and attempt to transport undocumented aliens within the United States PENALTY: Not more than 10 Yrs. and or/$250,000; $100 CVF; 3 Yrs. TSR (1)	Dismissed on govt's oral motion.

Highest Offense Level (Terminated)

Felony

Complaints	**Disposition**
8:1324.F--- BRINGING IN AND HARBORING ALIENS	

Material Witness

Francisco Javier Ramirez-Silva represented by **Maria Elena Morales**
Attorney at Law
1514 Victoria
Ste 2
Laredo, TX 78040
956-723-5031
Fax: 956-726-3715
Email: memlaw@sbcglobal.net
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Plaintiff

USA represented by **Don J Young**
US Dept of Justice - US Attorney Office
1100 Matamoros St
Ste 200
Laredo, TX 78040
956-723-6523
Email: Melissa.Castro@usdoj.gov

LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Financial Litigation
U S Attorney's Office
Southern District of Texas
P O Box 61129
Houston, TX 77208
713-567-9000
Fax: 713-718-3391 fax
Email: flu.usatxs-@usdoj.gov
ATTORNEY TO BE NOTICED
Designation: Retained

US Pretrial Svcs-La
PO Box 1460
Laredo, TX 78042-1460
956-794-1030 fax
Fax: 956-790-1743
ATTORNEY TO BE NOTICED
Designation: Retained

US Probation - L
1300 Victoria, Ste 2111
Laredo, TX 78040
Fax: 956-726-2915 fax
ATTORNEY TO BE NOTICED
Designation: Retained

Date Filed	#	Docket Text
11/29/2010	1	COMPLAINT as to Jessica Nicole Smith (1), filed. (WEBB) (icontreras,) (Additional attachment(s) added on 11/30/2010: # 1 Unredacted Document) (mmarquez,). [5:10-mj-02886] (Entered: 11/29/2010)
11/29/2010	2	WAIVER of Preliminary Hearing by Jessica Nicole Smith, filed.(Arellano-Villarreal, Christina) [5:10-mj-02886] (Entered: 11/29/2010)
11/29/2010	3	WAIVER of Detention Hearing by Jessica Nicole Smith, filed.(Arellano-Villarreal, Christina) [5:10-mj-02886] (Entered: 11/29/2010)
11/29/2010	4	Minute Entry for proceedings held before Magistrate Judge Guillermo R. Garcia: INITIAL APPEARANCE as to Jessica Nicole Smith, (Deft informed of rights) held on 11/29/2010. Defendant requests appointed counsel. Financial Affidavit executed. Order appointing Federal Public Defender. Order of Temporary Detention Pending Hearing. NO BOND SET. Preliminary Examination & Detention Hearing set for 12/3/2010 at 10:00 AM in Courtroom 3C before Magistrate Judge Guillermo R. Garcia. Material Witness: Francisco Javier Ramirez Silva. Appearances:Sonah Lee f/govt; Cristina Villarreal f/deft.(ERO:Mario Luna) (Interpreter:Mariana Rios, not used) Deft remanded to custody, filed.(mmarquez) [5:10-mj-02886] (Entered: 11/30/2010)

11/29/2010	5	Sealed Financial Affidavit CJA 23 by Jessica Nicole Smith, filed. [5:10-mj-02886] (Entered: 11/30/2010)
11/29/2010	6	ORDER APPOINTING FEDERAL PUBLIC DEFENDER Federal Public Defender - Laredo for Jessica Nicole Smith.(Signed by Magistrate Judge Guillermo R. Garcia) Parties notified. (mmarquez) [5:10-mj-02886] (Entered: 11/30/2010)
11/29/2010	7	Affidavit for Material Witness(es) Francisco Javier Ramirez Silva as to Jessica Nicole Smith, filed.(mmarquez) [5:10-mj-02886] (Entered: 11/30/2010)
11/29/2010	8	ORDER OF TEMPORARY DETENTION PENDING Hearing Pursuant to Bail Reform Act as to Jessica Nicole Smith Detention Hearing set for 12/3/2010 at 10:00 AM in Courtroom 3C before Magistrate Judge Guillermo R. Garcia.(Signed by Magistrate Judge Guillermo R. Garcia) Parties notified. (mmarquez) [5:10-mj-02886] (Entered: 11/30/2010)
11/29/2010	9	Minute Entry for proceedings held before Magistrate Judge Guillermo R. Garcia: INITIAL APPEARANCE OF MATERIAL WITNESS(ES) Francisco Javier Ramirez Silva as to Jessica Nicole Smith, (Material Witness(es) informed of rights) held on 11/29/2010. Financial affidavit, executed. MW requests appointed counsel. Private attorney, appointed. Next on list: Maria Elena Morales (not present in courtroom). Bond set at $5,000.00 C/S. Appearances:Sonah Lee f/govt; Private Attorney, appointed f/Material Witness.(ERO:Mario Luna) (Interpreter:Mariana Rios, used) Deft remanded to custody, filed.(mmarquez) [5:10-mj-02886] (Entered: 11/30/2010)
11/29/2010	10	CJA 20 for Material Witness Francisco Javier Ramirez Silva: Appointment of Attorney Maria Elena Morales for Francisco Javier Ramirez Silva as to Jessica Nicole Smith.(Signed by Magistrate Judge Guillermo R. Garcia) Parties notified. (mmarquez) [5:10-mj-02886] (Entered: 11/30/2010)
11/29/2010	11	Sealed Financial Affidavit CJA 23 by Material Witness Francisco Javier Ramirez Silva as to Jessica Nicole Smith, filed. [5:10-mj-02886] (Entered: 11/30/2010)
12/06/2010	12	Pretrial Services Report (Sealed) as to Jessica Nicole Smith, filed. (bhinojosa,) [5:10-mj-02886] (Entered: 12/06/2010)
12/21/2010		**Terminate Deadlines and Hearings as to Jessica Nicole Smith. (bmendoza,) [5:10-mj-02886] (Entered: 12/21/2010)
12/21/2010	13	INDICTMENT(Laredo)(The original indictment with the signature of the grand jury foreperson is on file under seal with the clerk) as to Jessica Nicole Smith (1) count(s) 1, 2, filed. (gsalinas,) (Entered: 12/22/2010)
12/22/2010		US ATTORNEY'S NOTICE OF APPEARANCE. Don J Young appearing for USA, filed.(Young, Don) (Entered: 12/22/2010)
12/22/2010	14	NOTICE OF SETTING as to Jessica Nicole Smith. Arraignment set for 12/30/2010 at 11:00 AM in Courtroom 2B before Magistrate Judge J. Scott Hacker, filed. (gsalinas,) (Entered: 12/22/2010)
12/29/2010	15	WAIVER of Presence at Arraignment and Entry of Plea of Not Guilty by

		Jessica Nicole Smith, filed. (Saenz, Paul) (Entered: 12/29/2010)
12/29/2010	16	ORDER accepting 15 Waiver of Presence at Arraignment as to Jessica Nicole Smith (1).(Signed by Magistrate Judge J. Scott Hacker) Parties notified. (mmarquez) (Entered: 12/30/2010)
12/29/2010	17	SCHEDULING ORDER as to Jessica Nicole Smith. Dispositive Motion Filing due by 1/10/2011 Final Pretrial Conference set for 2/16/2011 at 09:00 AM in Courtroom 2C before Magistrate Judge Diana Saldana Jury Selection set for 2/22/2011 at 09:00 AM in Courtroom 3A before Judge George P. Kazen. Parties notified. (mmarquez) (Entered: 12/30/2010)
01/25/2011	18	NOTICE OF RESETTING as to Jessica Nicole Smith. Pretrial Conference set for 2/16/2011 at 01:30 PM in Courtroom 2C before Magistrate Judge Diana Saldana, filed. (isanchez) (Entered: 01/25/2011)
02/15/2011		NOTICE OF RESETTING as to Jessica Nicole Smith.. Pretrial Conference set for 2/16/2011 at 09:00 AM in Courtroom 2C before Diana Saldana District Judge, filed.(isanchez) (Entered: 02/15/2011)
02/16/2011		Minute Entry for proceedings held before Judge Diana Saldana: RE-ARRAIGNMENT held on 2/16/2011. Jessica Nicole Smith (1) Guilty Count 2. Written Plea Agreement/Written Factual Basis/Plea Agreement Addendum filed. PSR due 03/24/11. Sentence date: Friday, 05/13/2011 at 9:00 AM before District Judge George P. Kazen in courtroom 3A. (1004-1043)**Medical issue: depression & anxiety -started while in custody**is taking medication since december 2010 Appearances:AUSA Robert Ramirez f/govt; AFPD Paul Saenz f/deft; USPO: Amy Valdez; USM: Orlando Luna.(ERO:ben mendoza) (Interpreter:not used) Deft remanded to custody, filed.(isanchez) (Entered: 02/16/2011)
02/16/2011	19	PLEA AGREEMENT as to Jessica Nicole Smith, filed. (jluna) (Entered: 02/17/2011)
02/16/2011	20	ADDENDUM to 19 Plea Agreement as to Jessica Nicole Smith, filed.(jluna) (Entered: 02/17/2011)
02/16/2011	21	ORDER for Presentence Investigation and Disclosure & Sentencing Dates as to Jessica Nicole Smith. PSI Completion due by 3/24/2011. Final PSI due by 4/29/2011. Sentencing set for 5/13/2011 at 09:00 AM in Courtroom 3A before Judge George P. Kazen.(Signed by Judge Diana Saldana) Parties notified. (jluna) (Entered: 02/17/2011)
04/12/2011	22	Final Presentence Investigation Report (Sealed) as to Jessica Nicole Smith, filed. (crgarcia,) (Entered: 04/12/2011)
04/12/2011	23	Confidential Sentencing Recommendation(Sealed) regarding Jessica Nicole Smith, filed. (crgarcia,) (Entered: 04/12/2011)
04/12/2011	24	Sealed Addendum to 22 Final Presentence Investigation Report (Sealed) as to Jessica Nicole Smith, filed. (crgarcia,) (Entered: 04/12/2011)
04/20/2011	25	NOTICE OF RESETTING as to Jessica Nicole Smith. Sentencing set for 4/29/2011 at 09:00 AM in Courtroom 3A before Judge George P. Kazen, filed.

		(vcaballero,) (Entered: 04/20/2011)
04/27/2011	26	NOTICE OF RESETTING as to Jessica Nicole Smith. Sentencing set for 4/28/2011 at 01:30 PM in Courtroom 3A before Judge George P. Kazen, filed. (dgonzalez) (Entered: 04/27/2011)
04/28/2011		Minute Entry for proceedings held before Judge George P. Kazen. The deft is sentenced as follows for reasons discussed on the record. Sentencing held on 4/28/2011 for Jessica Nicole Smith (1), Count(s) 1, Dismissed on govt's oral motion. Count(s) 2, 13 months imprs; 3 yrs TSR; drug aftercare [inpatient/outpatient]; mental health condition; no fine - 120 hours of community service to be completed within first 15 months of TSR; $100.00 Special Assessment; the deft waived the appeal as part of the written plea agreement, however, the deft is advised of the 14 day deadline to file the notice if she believes the waiver is not valid. TIME: 1:46 PM - 2:07 PM. Appearances: USPO H. Renee Moke, AUSA J. Ackerman and AFPD Paul Saenz f/deft.(Court Reporter: Leticia Verdin) (Interpreter:D. Gonzalez/ F. Vergara (not used) Deft remanded to the custody of the U.S. Marshal., filed. (vcaballero,) (Entered: 04/28/2011)
04/28/2011		DISMISSAL OF COUNT 1 on Government's Oral Motion as to Jessica Nicole Smith. (vcaballero,) (Entered: 04/28/2011)
04/29/2011	27	JUDGMENT as to Jessica Nicole Smith.(Signed by Judge George P. Kazen) Parties notified. (mmarquez) (Entered: 05/02/2011)
04/29/2011	28	Statement of Reasons (Sealed) as to Jessica Nicole Smith, filed. (Entered: 05/02/2011)
04/05/2013	29	Supervised Release Jurisdiction Transferred to Western District of Texas, San Antonio Division as to Jessica Nicole Smith., filed.(mmarquez) (Entered: 04/08/2013)

PACER Service Center			
Transaction Receipt			
04/10/2013 15:31:22			
PACER Login:	us4502	**Client Code:**	
Description:	Docket Report	**Search Criteria:**	5:10-cr-02627
Billable Pages:	5	**Cost:**	0.50

AO 245B (Rev. 09/08) Judgment in a Criminal Case
Sheet 1

UNITED STATES DISTRICT COURT

Southern District of Texas

Holding Session in Laredo

UNITED STATES OF AMERICA
V.
JESSICA NICOLE SMITH

JUDGMENT IN A CRIMINAL CASE

CASE NUMBER: **5:10CR02627-001**
USM NUMBER: 81640-279
Paul Carlos Saenz, AFPD
Defendant's Attorney

☐ See Additional Aliases.

THE DEFENDANT:

☒ pleaded guilty to count(s) two on February 16, 2011

☐ pleaded nolo contendere to count(s) which was accepted by the court.

☐ was found guilty on count(s) after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

Title & Section	Nature of Offense	Offense Ended	Count
8 U.S.C. §§ 1324(a)(1)(A)(ii), 1324(a)(1)(B)(i) and 18 U.S.C. § 2	Transporting an undocumented alien within the United States by means of a motor vehicle for private financial gain	11/26/2010	Two

☐ See Additional Counts of Conviction.

The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has been found not guilty on count(s) _____

☒ Count(s) one ☒ is ☐ are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

April 28, 2011
Date of Imposition of Judgment

George P. Kazen
Signature of Judge

GEORGE P. KAZEN
SENIOR UNITED STATES DISTRICT JUDGE
Name and Title of Judge

April 29, 2011
Date

JG | HRM

DEFENDANT: **JESSICA NICOLE SMITH**
CASE NUMBER: **5:10CR02627-001**

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 13 months.

The defendant was advised of the right to appeal the sentence, and reminded that she waived the right to appeal.

☐ See Additional Imprisonment Terms.

☐ The court makes the following recommendations to the Bureau of Prisons:

☒ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:
- ☐ at _____ ☐ a.m. ☐ p.m. on _____ .
- ☐ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
- ☐ before 2 p.m. on _____ .
- ☐ as notified by the United States Marshal.
- ☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

AO 245B (Rev. 08/09) Judgment in a Criminal Case
Sheet 3 -- Supervised Release

DEFENDANT: **JESSICA NICOLE SMITH**
CASE NUMBER: **5:10CR02627-001**

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of: 3 years.

☐ See Additional Supervised Release Terms.

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court. *(for offenses committed on or after September 13, 1994)*

- ☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)

☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.)

☒ The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)

☐ The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)

☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

☒ See Special Conditions of Supervision.

1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
4) the defendant shall support his or her dependents and meet other family responsibilities;
5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

AO 245B (Rev. 08/09 Judgment in a Criminal Case Sheet 3C -- Supervised Release)

DEFENDANT: **JESSICA NICOLE SMITH**
CASE NUMBER: **5:10CR02627-001**

SPECIAL CONDITIONS OF SUPERVISION

The defendant shall participate in a program, inpatient or outpatient, for the treatment of drug and/or alcohol addiction, dependency or abuse which may include, but not be limited to urine, breath, saliva and skin testing to determine whether the defendant has reverted to the use of drugs and/or alcohol. Further, the defendant shall participate as instructed and as deemed necessary by the probation officer and shall comply with all rules and regulations of the treatment agency until discharged by the Program Director with the approval of the probation officer. The defendant shall further submit to drug-detection techniques, in addition to those performed by the treatment agency, as directed by the probation officer. The defendant will incur costs associated with such drug/alcohol detection and treatment, based on ability to pay as determined by the probation officer.

The defendant is required to participate in a mental health program as deemed necessary and approved by the probation officer. The defendant will incur costs associated with such program, based on ability to pay as determined by the probation officer.

The defendant is required to perform 120 hours of community service as approved by the probation officer to be completed withing the first 15 months of supervised release.

AO 245B (Rev. 08/09) Judgment in a Criminal Case
Sheet 5 -- Criminal Monetary Penalties

DEFENDANT: **JESSICA NICOLE SMITH**
CASE NUMBER: **5:10CR02627-001**

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	Assessment	Fine	Restitution
TOTALS	$100.00	$0.00	$0.00

☐ See Additional Terms for Criminal Monetary Penalties.

☐ The determination of restitution is deferred until _____. An *Amended Judgment in a Criminal Case (AO 245C)* will be entered after such determination.

☐ The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal payees must be paid before the United States is paid.

Name of Payee	Total Loss*	Restitution Ordered	Priority or Percentage

☐ See Additional Restitution Payees.

TOTALS	$ 0.00	$ 0.00

☐ Restitution amount ordered pursuant to plea agreement $ _____

☐ The defendant must pay interest on restitution and a fine of more than $2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

☐ The court determined that the defendant does not have the ability to pay interest and it is ordered that:

☐ the interest requirement is waived for the ☐ fine ☐ restitution.

☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:

☐ Based on the Government's motion, the Court finds that reasonable efforts to collect the special assessment are not likely to be effective. Therefore, the assessment is hereby remitted.

* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

AO 245B (Rev. 08/09) Judgment in a Criminal Case
Sheet 6 -- Schedule of Payments

DEFENDANT: **JESSICA NICOLE SMITH**
CASE NUMBER: **5:10CR02627-001**

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows:

A ☒ Lump sum payment of $ 100.00 due immediately, balance due
- ☐ not later than _____, or
- ☒ in accordance with ☐ C, ☐ D, ☐ E, or ☒ F below; or

B ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or

C ☐ Payment in equal _____ installments of $ _____ over a period of _____, to commence _____ days after the date of this judgment; or

D ☐ Payment in equal _____ installments of $ _____ over a period of _____, to commence _____ days after release from imprisonment to a term of supervision; or

E ☐ Payment during the term of supervised release will commence within _____ days after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or

F ☒ Special instructions regarding the payment of criminal monetary penalties:
Make all payments payable to: U.S. District Clerk, 1300 Victoria, Ste. 1131, Laredo, TX 78040.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☐ Joint and Several

Case Number Defendant and Co-Defendant Names (including defendant number)	Total Amount	Joint and Several Amount	Corresponding Payee, if appropriate

☐ See Additional Defendants and Co-Defendants Held Joint and Several.

☐ The defendant shall pay the cost of prosecution.

☐ The defendant shall pay the following court cost(s):

☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

☐ See Additional Forfeited Property.

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.

United States District Court
Southern District of Texas
FILED
DEC 21 2010
David J. Bradley, Clerk
Laredo Division

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

LAREDO DIVISION

UNITED STATES OF AMERICA	§	
	§	
v.	§	CRIMINAL NO.
	§	
JESSICA NICOLE SMITH	§	

INDICTMENT **L-10-2627**

THE GRAND JURY CHARGES THAT:

COUNT ONE

On or about November 26, 2010, in the Southern District of Texas, and elsewhere, and within the jurisdiction of the Court, **Defendant,**

JESSICA NICOLE SMITH,

did knowingly and intentionally conspire and agree with other persons known and unknown to the grand jurors, to violate Title 8, United States Code, Section 1324, that is, to transport and move an alien who had come to, entered, and remained in the United States in violation of law in furtherance of such violation of law and for purpose of commercial advantage and private financial gain, within the United States.

In violation of Title 8 United States Code, Section 1324.

COUNT TWO

On or about November 26, 2010, in the Southern District of Texas and within the jurisdiction of the Court, **Defendant,**

JESSICA NICOLE SMITH,

knowing and in reckless disregard of the fact that **FRANCISCO JAVIER RAMIREZ-SILVA,** was an alien who had come to, entered, and remained in the United States in violation of law, did transport and move such alien, for purpose of commercial advantage or private financial gain and in furtherance of such violation of law, within the United States by means of a motor vehicle.

In violation of Title 8, United States Code, Section 1324 and Title 18, United States Code, Section 2.

A TRUE BILL

ORIGINAL SIGNATURE
ON FILE

JOSE ANGEL MORENO
UNITED STATES ATTORNEY

FRANK T. PIMENTEL
Assistant United States Attorney

GPK

USA-74-24b
(Rev. 6-1-71)

LAREDO DIVISION

CRIMINAL DOCKET

L-No 10-2627

FILE: 10-24376
INDICTMENT

L-10-2886M

Filed: DEC 21 2010

Judge:

ATTORNEYS:

UNITED STATES OF AMERICA

VS.

JESSICA NICOLE SMITH

JOSE ANGEL MORENO, USA,

FRANK T. PIMENTEL, AUSA

	Appt'd	Private
GPK		

CHARGE:
(TOTAL)
COUNTS:)
(2)

Ct. 1: Conspiracy to transport undocumented aliens within the United States [8 USC 1324]
Ct. 2: Transporting undocumented aliens within the U.S. [8 USC 1324 & 18 USC 2]

PENALTY: 8 USC 1324 Not More Than 10 Yrs. and/or $250,000, $100 Spec Assessment each count
NOT MORE THAN 3 YR TERM OF SUPERVISED RELEASE

In Jail:

On Bond:

No Arrest:

NAME & ADDRESS

of Surety:

PROCEEDINGS:

UNITED STATES DISTRICT COURT

David J. Bradley
Clerk of Court

SOUTHERN DISTRICT OF TEXAS

1300 Victoria, Ste. 1131
Laredo, TX 78040

To: Western District of Texas/San Antonio Division

RE: Transfer of Criminal Action No. 5:10-CR-2627-001, as to Jessica Nicole Smith

Dear Sir/Madam:

Enclosed are the original or certified copy of the order transferring the above-captioned case to your district and a financial statement in that case. The case filed can be accessed through the Electronic Case Filing/Pacer System for the Southern District of Texas at:

ecf.txsd.uscourts.gov

Please acknowledge receipt of these documents by signing the receipt below, indicating your case number and returning it to us in the enclosed envelope.

David J. Bradley
Clerk of Court

Date: April 5, 2013

By: Mayra M. Márquez
Deputy Clerk

Please complete and return acknowledgment to this office.

Received and filed under case number: _____

on _____

Clerk, United States District Court

By: _____
Deputy Clerk

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FILED
MAR 28 2014
CLERK, U.S. DISTRICT COURT
By 9mh - 1:35 pm
Deputy

United States District Court

Northern District of Texas
San Angelo Division

UNITED STATES OF AMERICA

v.

JESSICA NICOLE SMITH
Defendant.

Case Number 6:14-CR-013-01-C
USM No. 81640-279

JUDGMENT IN A CRIMINAL CASE

(For **Revocation** of Supervised Release)
(For Offenses Committed On or After November 1, 1987)

The defendant, JESSICA NICOLE SMITH, was represented by Shery Kime-Goodwin.

THE DEFENDANT:

Admitted guilt of violation of conditions of the term of supervision.

Violation Number	Nature of Violation	Date of Violation
See attached Petition for Offender Under Supervision		

Certified copy of the Judgment imposed on 04/28/2011 in the Southern District of Texas, Laredo Division, is attached.

As pronounced on 03/28/2014, the defendant is sentenced as provided in pages 1 and 2 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Signed this the 28th day of March, 2014.

DISTRICT JUDGE SAM R. CUMMINGS
UNITED STATES DISTRICT COURT

REDACTED

Defendant: JESSICA NICOLE SMITH
Case Number: 6:14-CR-013-01-C

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 12 months.

It is ordered that the defendant report directly to the institution designated by the Bureau of Prisons, at her own expense on or before April 25, 2014, by 2:00 p.m.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

AO 245 D (Rev. 1/97)(N.D.TX. Rev. 2.0) Sheet 3 - Supervised Release in a Criminal Case for Revocations

Defendant: JESSICA NICOLE SMITH
Case Number: 6:14-CR-013-01-C

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 24 months.

The defendant shall report to the Probation Officer in a manner and frequency directed by the Court or Probation Officer.

The defendant shall not commit another federal, state, or local crime.

The defendant shall not illegally possess a controlled substance.

For offenses committed on or after September 13, 1994:

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.

- ☐ The above drug testing condition is suspended based on the court's determination that the defendant poses a low risk of future substance abuse.
- ☒ The defendant shall not possess a firearm, destructive device or any other dangerous weapon.
- ☒ The defendant shall cooperate in the collection of DNA as directed by the probation officer.
- ☐ The defendant shall comply with the requirements of the Sex Offender Registration and Notification Act (42 U.S.C. § 16901, *et seq.*) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in which he or she resides, works, is a student, or was convicted of a qualifying offense.
- ☐ the defendant shall participate in an approved program for domestic violence.

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Fine and Restitution sheet of the judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). The defendant shall also comply with the additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
2) The defendant shall report to the probation officer in a manner and frequency directed by the court or probation officer.
3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
4) The defendant shall support his or her dependents and meet other family responsibilities.
5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
6) The defendant shall notify the probation officer at least ten days prior to any change in residence or employment.
7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician.
8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

Defendant: JESSICA NICOLE SMITH
Case Number: 6:14-CR-013-01-C

SPECIAL CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this Judgment:

1. The defendant shall participate in a program approved by the U.S. Probation Office for treatment of narcotic or drug or alcohol dependency which will include testing for the detection of substance use or abuse. It is ordered that the defendant contribute to the costs of services rendered (co-payment) at a rate of at least $25.00 per month.

2. The defendant shall abstain from the use of alcohol and all other intoxicants during the term of supervision.

UNITED STATES DISTRICT COURT
for
NORTHERN DISTRICT OF TEXAS

CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
FILED

2014 FEB 24 PM 2:01

DEPUTY CLERK

Petition for Offender Under Supervision

Name of Offender: Jessica Nicole Smith Case No.: 6:14-CR-013-C(01)

Name of Sentencing Judicial Officer: U.S. District Judge George P. Kazen (Jurisdiction transferred to U.S. District Judge Javier Rodriguez, Western District of Texas, San Antonio Division, on March 27, 2013; Jurisdiction Transferred to U.S. District Judge Sam R. Cummings, Northern District of Texas, San Angelo Division, on February 20, 2014.)

Date of Original Sentence: April 28, 2011

Original Offense: Transporting an Undocumented Alien Within the United States by Means of a Motor Vehicle for Private Financial Gain, 8 U.S. C. § 1324(a)(1)(A)(ii) & (a)(1)(B)(i) and 18 U. S.C. § 2

Original Sentence: 13 months custody, 3-year term of supervised release

Type of Supervision: Supervised Release Date Supervision Commenced: February 1, 2013

Assistant U.S. Attorney: Don J. Young Defense Attorney: Paul Carlos Saenz (Court appointed)

Petitioning the Court for Action for Cause as Follows:

To issue a violator's warrant.

The probation officer believes that the offender violated the following conditions:

I.

Violation of Mandatory Condition:

The defendant shall not commit another federal, state, or local crime.

Violation of Mandatory Condition:

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

Violation of Standard Condition No. 7:

The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substance, except as prescribed by a physician.

Violation of Special Condition:

The defendant shall participate in a program, inpatient or outpatient, for the treatment of drug and/or alcohol addiction, dependency or abuse which may include, but not be limited to urine, breath, saliva and skin testing to determine whether the defendant has reverted to the use of drugs and/or alcohol. Further, the defendant shall participate as instructed and as deemed necessary by the probation officer and shall comply with all rules and regulations of the treatment agency until discharged by the Program Director with the approval of the probation officer. The defendant shall further submit to drug-detection techniques, in addition to those performed by the treatment agency, as directed by the probation officer. The defendant will incur costs associated with such drug/alcohol detection and treatment, based on ability to pay as determined by the probation officer.

Nature of Noncompliance:

Jessica Nicole Smith (Smith) violated these conditions of supervised release by using and possessing methamphetamine, an illegal controlled substance, in or about January 2014. On January 17, 2014, Smith submitted a urine specimen at the U.S. Probation Office, San Angelo, Texas, that tested positive for methamphetamine. Furthermore, on January 31, 2014, Smith admitted, verbally and in writing, to Senior U.S. Probation Officer Javier Sanchez that she had used methamphetamine on January 16 and 28, 2014.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 24, 2014

s/ Javier Sanchez
Senior U.S. Probation Officer
San Angelo, Texas
325-486-4072
Fax: 325-655-9051

Approved,

s/ Dale E. Adams
Supervising U.S. Probation Officer
806-472-1141

Jessica Nicole Smith
Petition for Offender Under Supervision

Order of the Court:

- ☐ No Action
- ☑ The Issuance of a Warrant. Petition and warrant sealed and not to be distributed to counsel of record until arrest effectuated.
- ☐ The Issuance of a Summons
- ☐ Other or Additional:
- ☐ File under seal until further order of the Court.

Sam R. Cummings
U.S. District Judge

2-24-14
Date

JS/stg

AO 245B (Rev. 08/05) Judgment in a Criminal Case
Sheet 1

UNITED STATES DISTRICT COURT

Southern District of Texas

Holding Session in Laredo

UNITED STATES OF AMERICA
V.
JESSICA NICOLE SMITH

JUDGMENT IN A CRIMINAL CASE

CASE NUMBER: **5:10CR02627-001**

USM NUMBER: 81640-279

Paul Carlos Saenz, AFPD
Defendant's Attorney

☐ See Additional Aliases.

THE DEFENDANT:

☒ pleaded guilty to count(s) two on February 16, 2011

☐ pleaded nolo contendere to count(s) which was accepted by the court.

☐ was found guilty on count(s) after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

Title & Section	Nature of Offense	Offense Ended	Count
8 U.S.C. §§ 1324(a)(1)(A)(ii), 1324(a)(1)(B)(i) and 18 U.S.C. § 2	Transporting an undocumented alien within the United States by means of a motor vehicle for private financial gain	11/26/2010	Two

☐ See Additional Counts of Conviction.

The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has been found not guilty on count(s) _____

☒ Count(s) one ☒ is ☐ are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

April 28, 2011
Date of Imposition of Judgment

George P. Kazen
Signature of Judge

GEORGE P. KAZEN
SENIOR UNITED STATES DISTRICT JUDGE
Name and Title of Judge

April 29, 2011
Date

Certified a true copy of an instrument
on file in my office on 3-28-2014
Clerk, U.S. District Court,
Northern District of Texas
By D. Hartman Deputy

JG | HRM

AO 245B (Rev. 08/05) Judgment in a Criminal C...
Sheet 2 -- Imprisonment

DEFENDANT: JESSICA NICOLE SMITH
CASE NUMBER: 5:10CR02627-001

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 13 months.

The defendant was advised of the right to appeal the sentence, and reminded that she waived the right to appeal.

☐ See Additional Imprisonment Terms.

☐ The court makes the following recommendations to the Bureau of Prisons:

☒ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:
- ☐ at _____ ☐ a.m. ☐ p.m. on _____.
- ☐ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
- ☐ before 2 p.m. on _____.
- ☐ as notified by the United States Marshal.
- ☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

AO 245B (Rev. 08/05) Judgment in a Criminal Case
Sheet 3 -- Supervised Release

Judgment – Page 3 of 6

DEFENDANT: JESSICA NICOLE SMITH
CASE NUMBER: 5:10CR02627-001

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of: 3 years.

☐ See Additional Supervised Release Terms.

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court. *(for offenses committed on or after September 13, 1994)*

☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)

☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.)

☒ The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)

☐ The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)

☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

☒ See Special Conditions of Supervision.

1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
4) the defendant shall support his or her dependents and meet other family responsibilities;
5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

AO 245B (Rev. 08/05) Judgment in a Criminal C...
Sheet 5 -- Criminal Monetary Penalties

Judgment -- Page 5 of 6

DEFENDANT: JESSICA NICOLE SMITH
CASE NUMBER: 5:10CR02627-001

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	Assessment	Fine	Restitution
TOTALS	$100.00	$0.00	$0.00

☐ See Additional Terms for Criminal Monetary Penalties.

☐ The determination of restitution is deferred until _____. An *Amended Judgment in a Criminal Case (AO 245C)* will be entered after such determination.

☐ The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal payees must be paid before the United States is paid.

Name of Payee	Total Loss*	Restitution Ordered	Priority or Percentage

☐ See Additional Restitution Payees.

TOTALS	$ 0.00	$ 0.00

☐ Restitution amount ordered pursuant to plea agreement $ _____

☐ The defendant must pay interest on restitution and a fine of more than $2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

☐ The court determined that the defendant does not have the ability to pay interest and it is ordered that:

☐ the interest requirement is waived for the ☐ fine ☐ restitution.

☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:

☐ Based on the Government's motion, the Court finds that reasonable efforts to collect the special assessment are not likely to be effective. Therefore, the assessment is hereby remitted.

* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

AO 245B (Rev. 08/05) Judgment in a Criminal Case
Sheet 6 – Schedule of Payments

DEFENDANT: JESSICA NICOLE SMITH
CASE NUMBER: 5:10CR02627-001

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows:

A ☒ Lump sum payment of $ 100.00 due immediately, balance due
☐ not later than _____, or
☒ in accordance with ☐ C, ☐ D, ☐ E, or ☒ F below; or

B ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or

C ☐ Payment in equal _____ installments of $ _____ over a period of _____, to commence _____ days after the date of this judgment; or

D ☐ Payment in equal _____ installments of $ _____ over a period of _____, to commence _____ days after release from imprisonment to a term of supervision; or

E ☐ Payment during the term of supervised release will commence within _____ days after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or

F ☒ Special instructions regarding the payment of criminal monetary penalties:
Make all payments payable to: U.S. District Clerk, 1300 Victoria, Ste. 1131, Laredo, TX 78040.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☐ Joint and Several

Case Number Defendant and Co-Defendant Names (including defendant number)	Total Amount	Joint and Several Amount	Corresponding Payee, if appropriate

☐ See Additional Defendants and Co-Defendants Held Joint and Several.

☐ The defendant shall pay the cost of prosecution.

☐ The defendant shall pay the following court cost(s):

☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

☐ See Additional Forfeited Property.

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FILED
MAR 28 2014
CLERK, U.S. DISTRICT COURT
By 1:35 pm
Deputy

United States District Court

Northern District of Texas
San Angelo Division

UNITED STATES OF AMERICA

v.

Case Number 6:14-CR-013-01-C
USM No. 81640-279

JESSICA NICOLE SMITH
Defendant.

JUDGMENT IN A CRIMINAL CASE

(For **Revocation** of Supervised Release)
(For Offenses Committed On or After November 1, 1987)

The defendant, JESSICA NICOLE SMITH, was represented by Shery Kime-Goodwin.

THE DEFENDANT:

Admitted guilt of violation of conditions of the term of supervision.

Violation Number	Nature of Violation	Date of Violation
See attached Petition for Offender Under Supervision		

Certified copy of the Judgment imposed on 04/28/2011 in the Southern District of Texas, Laredo Division, is attached.

As pronounced on 03/28/2014, the defendant is sentenced as provided in pages 1 and 2 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Signed this the 28th day of March, 2014.

DISTRICT JUDGE SAM R. CUMMINGS
UNITED STATES DISTRICT COURT

Defendant's SSN: 458-71-5025
Defendant's Date of Birth: 08/15/1984
Defendant's Address: Lubbock County Detention Center, 3502 North Holly, Lubbock, TX 79403

AO 245 D (Rev.10/96)Sheet 2 - Imprisonment in a Criminal Case for Revocations

Defendant: JESSICA NICOLE SMITH
Case Number: 6:14-CR-013-01-C

Judgment--Page 2 of 4

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 12 months.

It is ordered that the defendant report directly to the institution designated by the Bureau of Prisons, at her own expense on or before April 25, 2014, by 2:00 p.m.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

AO 245 D (Rev. 1/97)(N.D.TX. Rev. 2.0) Sheet 3 - Supervised Release in a Criminal Case for Revocations

Defendant: JESSICA NICOLE SMITH
Case Number: 6:14-CR-013-01-C

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 24 months.

The defendant shall report to the Probation Officer in a manner and frequency directed by the Court or Probation Officer.

The defendant shall not commit another federal, state, or local crime.

The defendant shall not illegally possess a controlled substance.

For offenses committed on or after September 13, 1994:

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.

- ☐ The above drug testing condition is suspended based on the court's determination that the defendant poses a low risk of future substance abuse.
- ☒ The defendant shall not possess a firearm, destructive device or any other dangerous weapon.
- ☒ The defendant shall cooperate in the collection of DNA as directed by the probation officer.
- ☐ The defendant shall comply with the requirements of the Sex Offender Registration and Notification Act (42 U.S.C. § 16901, *et seq.*) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in which he or she resides, works, is a student, or was convicted of a qualifying offense.
- ☐ the defendant shall participate in an approved program for domestic violence.

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Fine and Restitution sheet of the judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). The defendant shall also comply with the additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

1) The defendant shall not leave the judicial district without the permission of the court or probation officer.
2) The defendant shall report to the probation officer in a manner and frequency directed by the court or probation officer.
3) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
4) The defendant shall support his or her dependents and meet other family responsibilities.
5) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
6) The defendant shall notify the probation officer at least ten days prior to any change in residence or employment.
7) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician.
8) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
9) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
10) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
11) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
12) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
13) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

SPECIAL CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this Judgment:

1. The defendant shall participate in a program approved by the U.S. Probation Office for treatment of narcotic or drug or alcohol dependency which will include testing for the detection of substance use or abuse. It is ordered that the defendant contribute to the costs of services rendered (co-payment) at a rate of at least $25.00 per month.

2. The defendant shall abstain from the use of alcohol and all other intoxicants during the term of supervision.

UNITED STATES DISTRICT COURT
for
NORTHERN DISTRICT OF TEXAS

CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
FILED

2014 FEB 24 PM 2:01

DEPUTY CLERK

Petition for Offender Under Supervision

Name of Offender: Jessica Nicole Smith Case No.: 6:14-CR-013-C(01)

Name of Sentencing Judicial Officer: U.S. District Judge George P. Kazen (Jurisdiction transferred to U.S. District Judge Javier Rodriguez, Western District of Texas, San Antonio Division, on March 27, 2013; Jurisdiction Transferred to U.S. District Judge Sam R. Cummings, Northern District of Texas, San Angelo Division, on February 20, 2014.)

Date of Original Sentence: April 28, 2011

Original Offense: Transporting an Undocumented Alien Within the United States by Means of a Motor Vehicle for Private Financial Gain, 8 U.S. C. § 1324(a)(1)(A)(ii) & (a)(1)(B)(i) and 18 U. S.C. § 2

Original Sentence: 13 months custody, 3-year term of supervised release

Type of Supervision: Supervised Release Date Supervision Commenced: February 1, 2013

Assistant U.S. Attorney: Don J. Young Defense Attorney: Paul Carlos Saenz (Court appointed)

Petitioning the Court for Action for Cause as Follows:

To issue a violator's warrant.

The probation officer believes that the offender violated the following conditions:

I.

Violation of Mandatory Condition:

The defendant shall not commit another federal, state, or local crime.

Violation of Mandatory Condition:

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

Violation of Standard Condition No. 7:

The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substance, except as prescribed by a physician.

Violation of Special Condition:

The defendant shall participate in a program, inpatient or outpatient, for the treatment of drug and/or alcohol addiction, dependency or abuse which may include, but not be limited to urine, breath, saliva and skin testing to determine whether the defendant has reverted to the use of drugs and/or alcohol. Further, the defendant shall participate as instructed and as deemed necessary by the probation officer and shall comply with all rules and regulations of the treatment agency until discharged by the Program Director with the approval of the probation officer. The defendant shall further submit to drug-detection techniques, in addition to those performed by the treatment agency, as directed by the probation officer. The defendant will incur costs associated with such drug/alcohol detection and treatment, based on ability to pay as determined by the probation officer.

Nature of Noncompliance:

Jessica Nicole Smith (Smith) violated these conditions of supervised release by using and possessing methamphetamine, an illegal controlled substance, in or about January 2014. On January 17, 2014, Smith submitted a urine specimen at the U.S. Probation Office, San Angelo, Texas, that tested positive for methamphetamine. Furthermore, on January 31, 2014, Smith admitted, verbally and in writing, to Senior U.S. Probation Officer Javier Sanchez that she had used methamphetamine on January 16 and 28, 2014.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 24, 2014

s/ Javier Sanchez
Senior U.S. Probation Officer
San Angelo, Texas
325-486-4072
Fax: 325-655-9051

Approved,

s/ Dale E. Adams
Supervising U.S. Probation Officer
806-472-1141

Jessica Nicole Smith
Petition for Offender Under Supervision

Order of the Court:

- ☐ No Action
- ☑ The Issuance of a Warrant. Petition and warrant sealed and not to be distributed to counsel of record until arrest effectuated.
- ☐ The Issuance of a Summons
- ☐ Other or Additional:
- ☐ File under seal until further order of the Court.

Sam R. Cummings
U.S. District Judge

2-24-14
Date

JS/stg

AO 245B (Rev. 06/05) Judgment in a Criminal C... Sheet 1

UNITED STATES DISTRICT COURT

Southern District of Texas

Holding Session in Laredo

UNITED STATES OF AMERICA
V.
JESSICA NICOLE SMITH

JUDGMENT IN A CRIMINAL CASE

CASE NUMBER: **5:10CR02627-001**

USM NUMBER: 81640-279

Paul Carlos Saenz, AFPD
Defendant's Attorney

☐ See Additional Aliases.

THE DEFENDANT:

☒ pleaded guilty to count(s) two on February 16, 2011

☐ pleaded nolo contendere to count(s) which was accepted by the court.

☐ was found guilty on count(s) after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

Title & Section	Nature of Offense	Offense Ended	Count
8 U.S.C. §§ 1324(a)(1)(A)(ii), 1324(a)(1)(B)(i) and 18 U.S.C. § 2	Transporting an undocumented alien within the United States by means of a motor vehicle for private financial gain	11/26/2010	Two

☐ See Additional Counts of Conviction.

The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has been found not guilty on count(s) _____

☒ Count(s) one ☒ is ☐ are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

April 28, 2011
Date of Imposition of Judgment

George P. Kazen
Signature of Judge

GEORGE P. KAZEN
SENIOR UNITED STATES DISTRICT JUDGE
Name and Title of Judge

April 29, 2011
Date

Certified a true copy of an instrument
on file in my office on 3-28-2014
Clerk, U.S. District Court,
Northern District of Texas
By D. Hartman Deputy

JG HRM

AO 245B (Rev. 08/05) Judgment in a Criminal Case
Sheet 2 -- Imprisonment

DEFENDANT: JESSICA NICOLE SMITH
CASE NUMBER: 5:10CR02627-001

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 13 months.

The defendant was advised of the right to appeal the sentence, and reminded that she waived the right to appeal.

☐ See Additional Imprisonment Terms.

☐ The court makes the following recommendations to the Bureau of Prisons:

☒ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:
- ☐ at _____ ☐ a.m. ☐ p.m. on _____.
- ☐ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
- ☐ before 2 p.m. on _____.
- ☐ as notified by the United States Marshal.
- ☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

AO 245B (Rev. 08/05) Judgment in a Criminal Case
Sheet 3 -- Supervised Release

Judgment -- Page 3 of 6

DEFENDANT: JESSICA NICOLE SMITH
CASE NUMBER: 5:10CR02627-001

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of: 3 years.

☐ See Additional Supervised Release Terms.

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court. *(for offenses committed on or after September 13, 1994)*

☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)

☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.)

☒ The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)

☐ The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)

☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

☒ See Special Conditions of Supervision.

1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
4) the defendant shall support his or her dependents and meet other family responsibilities;
5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

AO 245B (Rev. 08/05) Judgment in a Criminal C... Sheet 5 -- Criminal Monetary Penalties

DEFENDANT: JESSICA NICOLE SMITH
CASE NUMBER: 5:10CR02627-001

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	Assessment	Fine	Restitution
TOTALS	$100.00	$0.00	$0.00

☐ See Additional Terms for Criminal Monetary Penalties.

☐ The determination of restitution is deferred until _____. An *Amended Judgment in a Criminal Case (AO 245C)* will be entered after such determination.

☐ The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal payees must be paid before the United States is paid.

Name of Payee	Total Loss*	Restitution Ordered	Priority or Percentage

☐ See Additional Restitution Payees.

TOTALS	$ 0.00	$ 0.00

☐ Restitution amount ordered pursuant to plea agreement $ _____

☐ The defendant must pay interest on restitution and a fine of more than $2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

☐ The court determined that the defendant does not have the ability to pay interest and it is ordered that:

☐ the interest requirement is waived for the ☐ fine ☐ restitution.

☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:

☐ Based on the Government's motion, the Court finds that reasonable efforts to collect the special assessment are not likely to be effective. Therefore, the assessment is hereby remitted.

* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

AO 245B (Rev. 08/05) Judgment in a Criminal Case
Sheet 6 – Schedule of Payments

DEFENDANT: JESSICA NICOLE SMITH
CASE NUMBER: 5:10CR02627-001

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows:

A ☒ Lump sum payment of $ 100.00 due immediately, balance due
☐ not later than _____, or
☒ in accordance with ☐ C, ☐ D, ☐ E, or ☒ F below; or

B ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or

C ☐ Payment in equal _____ installments of $ _____ over a period of _____, to commence _____ days after the date of this judgment; or

D ☐ Payment in equal _____ installments of $ _____ over a period of _____, to commence _____ days after release from imprisonment to a term of supervision; or

E ☐ Payment during the term of supervised release will commence within _____ days after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or

F ☒ Special instructions regarding the payment of criminal monetary penalties:
Make all payments payable to: U.S. District Clerk, 1300 Victoria, Ste. 1131, Laredo, TX 78040.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☐ Joint and Several

Case Number Defendant and Co-Defendant Names (including defendant number)	Total Amount	Joint and Several Amount	Corresponding Payee, if appropriate

☐ See Additional Defendants and Co-Defendants Held Joint and Several.

☐ The defendant shall pay the cost of prosecution.

☐ The defendant shall pay the following court cost(s):

☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

☐ See Additional Forfeited Property.

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.

CLERK U.S. DISTRICT COURT
NORTHERN DIST. OF TX
FILED
2014 DEC -5 PM 2:42
DEPUTY

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 14-10420
Conference Calendar

D.C. Docket No. 6:14-CR-13-1

United States Court of Appeals
Fifth Circuit
FILED
November 4, 2014
Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff - Appellee

v.

JESSICA NICOLE SMITH,

Defendant - Appellant

Appeal from the United States District Court for the
Northern District of Texas, San Angelo

Before JOLLY, HIGGINBOTHAM, and OWEN, Circuit Judges.

J U D G M E N T

This cause was considered on the record on appeal and the briefs on file.

It is ordered and adjudged that the appeal is dismissed as frivolous.

ISSUED AS MANDATE: NOV 26 2014

A True Copy
Attest

Clerk, U.S. Court of Appeals, Fifth Circuit
By: Mary Stewart
Deputy NOV 26 2014

New Orleans, Louisiana

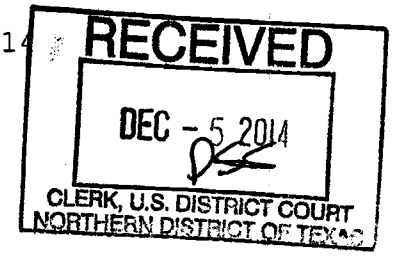
United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK

TEL. 504-310-7700
600 S. MAESTRI PLACE
NEW ORLEANS, LA 70130

November 26, 2014



Ms. Karen S. Mitchell
Northern District of Texas, San Angelo
United States District Court
33 E. Twohig Street
Room 202
San Angelo, TX 76903

No. 14-10420 USA v. Jessica Smith
USDC No. 6:14-CR-13-1

Dear Ms. Mitchell,

Enclosed is a copy of the judgment issued as the mandate and a copy of the court's opinion.

Sincerely,

LYLE W. CAYCE, Clerk
Mary Stewart

By: _____
Mary C. Stewart, Deputy Clerk
504-310-7694

cc w/encl:
Honorable Sam R. Cummings
Mr. James Wesley Hendrix
Ms. Jessica Nicole Smith
Ms. Denise Bridges Williams

P.S. to Judge Cummings: A copy of the opinion was sent to your office via email the day it was filed.